

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GLORIA Q. NATIVIDAD, et al.,

Plaintiffs,

v.

WELLS FARGO BANK, N.A., et al.,

Defendants.

Case No.: C12-3646 JSC

**ORDER RE NOVEMBER 9, 2012
LETTER FROM GLEN L. MOSS**

The Court is in receipt of a letter from Glen L. Moss, the purported new counsel for Plaintiffs, dated November 9, 2012. (*See* Dkt. No. 52.) In the letter, Mr. Moss states that on November 9, 2012, he contacted Defendants' counsel regarding a stipulation to allow Plaintiffs to file a Second Amended Complaint. Mr. Moss represents that an amended complaint is necessary because Plaintiffs intend to eliminate their TILA and RESPA claims, as well as "many of the other claims." Plaintiffs also wish to include new claims in the amended complaint.

Given that Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint is currently scheduled for hearing on December 6, 2012, IT IS HEREBY ORDERED that the parties advise the Court by **Thursday, November 29, 2012** as to whether they will stipulate to Plaintiffs filing an amended complaint.

1 The Court also notes that the letter mentions a Substitution of Attorneys form exchanged
2 between the parties; however, this supposed form has not been filed with the Court. If Plaintiffs have
3 retained new counsel, Plaintiffs and their counsel shall comply with the applicable requirements found
4 in Civil L.R. 5-1(c).

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6 **IT IS SO ORDERED.**

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8 Dated: November 26, 2012



JACQUELINE SCOTT CORLEY
UNITED STATES MAGISTRATE JUDGE